

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STEVEN DEGRAFF,

Plaintiff,

v.

No. 10-cv-0988 JAP/SMV

**NEW MEXICO DEPARTMENT
OF CORRECTIONS;
GREGG MARCANTEL, Secretary
of Corrections, in his official capacity;
DEANNA HOISINGTON, Warden of
Western New Mexico Correctional Facility;**

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

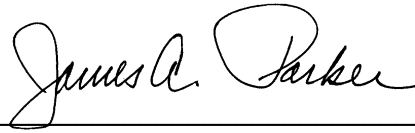
THIS MATTER is before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition [Doc. 87] ("PF&RD"), issued on July 9, 2013. On reference by the Court, [Doc. 48], the Honorable Stephan M. Vidmar, United States Magistrate Judge, found that that the dispute underlying the Complaint [Doc. 1] had changed, and the Complaint was moot. [Doc. 87]. Thus, he recommended that the case be dismissed without prejudice. *Id.* No party objected to the PF&RD, and the time for doing so has passed.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Magistrate Judge's Proposed Findings and Recommended Disposition [Doc. 87] are **ADOPTED**.

IT IS FURTHER ORDERED that Plaintiff's Motion to Amend Complaint [Doc. 76] and Motion for Preliminary Injunction [Doc. 80] are **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's Complaint [Doc. 1] and this case are **DISMISSED without prejudice**;

IT IS SO ORDERED.

A handwritten signature in black ink, reading "James A. Parker". The signature is written in a cursive style with a large, looped "P" at the end.

JAMES A. PARKER
Senior United States District Judge